

**DEPARTMENT OF EDUCATION
Montpelier, Vermont**

TEAM: Finance

ITEM: Will the State Board of Education approve the proposed rule, as attached, for School Bus Idling as requested in 23 V.S.A. § 1282(f)?

<p>RECOMMENDED ACTION: That the State Board of Education approve the proposed rule, as attached, for School Bus Idling as requested in 23 V.S.A. § 1282(f).</p>
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STATUTORY AUTHORITY:

Title 23 V.S.A. § 1282(f) Subject to state board of education rules, which may provide for limited idling, the operator of a school bus shall not idle the engine while waiting for children to board or to exit the vehicle at a school and shall not start the engine until ready to leave the school premises. The board, in consultation with the agency of natural resources, the department of health, and the department of motor vehicles, shall adopt rules to implement this subsection. The rules shall set forth periods or circumstances that reasonably require the idling of the engine, including periods when it is necessary to operate defrosting, heating, or cooling equipment to ensure the health or safety of the driver or passengers or to operate auxiliary equipment; and periods when the engine is undergoing maintenance or inspection. Effective Date: The rules required by this act shall take effect during the 2007–2008 academic year.

BACKGROUND INFORMATION:

The departments of health, environmental conservation, and motor vehicles have been consulted, as well as the Vermont Superintendents Assn., the Vermont School Boards Assn., and the Vermont Truck and Bus Association. A public hearing was held, public comments were solicited and received, and the proposed rule was posted on the department website.

COST IMPLICATIONS:

Because the current situation with each school district related to its buses and bus policies differs widely, implementation, administration, and enforcement costs are difficult to predict but are expected to be modest. The proposed rule does not increase costs to school districts beyond costs attributable to the underlying statute, 23 V.S.A. §1282(f).

On a case by case basis, school districts may realize some savings from reduced fuel usage as a result of no longer idling bus engines for prolonged periods.

STAFF AVAILABLE: Cathy Hilgendorf, School Construction Consultant
Bill Talbott, CFO

PROPOSED RULE – After public comment and review.

6001 State Board of Education Rule #6001 School Bus Idling

6002 Statutory Authority: 23 V.S.A. § 1282(f)

6003 Statement of Purpose

It is the purpose of these rules to implement 23 V.S.A. §1282(f) by providing for the limited idling of school buses in specific circumstances.

6004 Definitions

The following definitions shall apply to these rules:

- a. ~~This rule shall apply to all school buses~~ “School Bus” includes all vehicles operated by or for the district for the purpose of transporting the district’s students to or from school or school-related activities, whether the vehicles are owned by the district or contracted from vendors.
- b. “School grounds” includes any area adjacent to school buildings and used at any time for school-related activities, including parking lots, playing fields, and driveways.
- c. “Idling” means the primary propulsion engine is running while the vehicle is stationary.

6005 Provisions

The district shall communicate this rule to all parents, drivers, and staff. The provisions of this rule shall be incorporated into transportation contracts and agreements.

The employer of a school bus driver shall ensure that the driver is informed of the rule and any related district policy, and that all complaints of non-compliance are reviewed and that appropriate corrective actions are taken.

The operator of a school bus:

- (A)-a. ~~Shall shall~~ turn off the primary propulsion engine immediately upon arrival at student loading or unloading areas on school grounds, and shall not restart the engine until the bus is loaded or unloaded and is ready to depart; and
- (B)-b. ~~shall not otherwise operate the primary propulsion~~ idle the bus engine for more than five (5) minutes in a sixty (60) minute period on school grounds.

The provisions of this rule shall not apply under the following conditions:

- 1. when the engine is required to operate special equipment for disabled persons;
- 2. when the engine is required to operate safety equipment other than lighting systems, such as windshield defrosters, and the operation of the equipment is necessary at that time to address specific safety, traffic, health, or emergency concerns; and
- 3. when the vehicle is being serviced and the operation of the engine is essential to the service being performed.